

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>IN RE GENETICALLY MODIFIED</b>	)	<b>4:06-md-01811-CDP</b>
<b>RICE LITIGATION,</b>	)	
	)	
<b>This document relates to:</b>	)	
	)	
<b>RICKMERS REISMÜEHLE GMBH,</b>	)	
	)	
<b>Plaintiff</b>	)	<b>CASE NO. 4:08-cv-00500-CDP</b>
	)	
<b>v.</b>	)	
	)	
<b>PRODUCERS RICE MILL, INC.,</b>	)	
	)	
<b>Defendant</b>	)	
_____	)	

**MOTION FOR ENTRY OF SCHEDULING ORDER**

Rickmers Reismühle GmbH ("Rickmers"), by its attorneys, Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C., for its Motion for Entry of Scheduling Order, states

1. Rickmers's action against Producers Rice Mill, Inc. ("Producers") was docketed in this MDL after December 1, 2007.

2. Pursuant to sections IX and X of Case Management Order No. 3, Rickmers and Producers have crafted a mutually acceptable Scheduling Order, attached hereto as Exhibit "1," that they believe would be beneficial for entry and for application to their case, as well as similarly situated, non-producer cases within this MDL, including, but not limited to *Tilda Ltd v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-00457 CDP)

and *Veetee Rice Limited v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-01211 CDP).

3. Plaintiffs' executive committee has no objection to the proposed dates and deadlines in the proposed Scheduling Order and its application to *Tilda Ltd v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-00457 CDP) and *Veetee Rice Limited v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-01211 CDP).

4. Despite invitation, Defendants' executive committee has offered no opinion concerning the proposed dates and deadlines in the proposed Scheduling Order or its application to *Tilda Ltd v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-00457 CDP) and *Veetee Rice Limited v. Producers Rice Mill, Inc. et al.* (Case No. 4:07-cv-01211 CDP).

5. Entry of a Scheduling Order to govern the action between Rickmers and Producers is necessary as without, their dispute remains in legal limbo with no deadlines by which action must occur. The proposed Scheduling Order is reasonable in light of the complexity of legal issues and discovery involved in the parties' action, and good cause exists for the entry of the proposed Scheduling Order.

WHEREFORE, Rickmers Reismühle GmbH prays that the Court enter the proposed Scheduling Order attached hereto and for all other just and proper relief to which it may be entitled.

Dated this 16th day of May, 2008.

MITCHELL, WILLIAMS, SELIG,  
GATES & WOODYARD, P.L.L.C.  
425 West Capitol Avenue, Suite 1800  
Little Rock, Arkansas 72201  
(501) 688-8800

By /s/ *John Keeling Baker*  
John Keeling Baker, Ark. Bar No. 97024  
P. Benjamin Cox, Ark. Bar No. 2005162

Attorneys for Rickmers Reismühle GmbH

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have, this 16th day of May, 2008,  
electronically filed a copy of the foregoing with the Clerk of the Court to be served by  
operation of the Court's electronic filing system upon the parties of record.

/s/ *John Keeling Baker*

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<b>Plaintiff</b>	)	<b>CASE NO. 4:08-cv-00500-CDP</b>
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<b>v.</b>	)	
	)	
<b>PRODUCERS RICE MILL, INC.,</b>	)	
	)	
<b>Defendant</b>	)	
_____	)	

**SCHEDULING ORDER**

Pursuant to sections IX and X of Case Management Order No. 3, the Court hereby enters this Scheduling Order for the above parties. Unless specifically provided for by this Order, all provisions of the Court's Case Management Orders (now in effect or hereinafter entered) remain in effect and applicable to the above parties.

1.     **Amendment to Parties:** Except for good cause shown, motions to amend pleadings or to join additional parties must be filed no later than November 3, 2008.

2.     **Expert Disclosures:**         Plaintiff's expert disclosures under Fed. R. Civ. P. 26(a), if any, shall be made by January 15, 2009. Defendant's expert disclosures under Fed. R. Civ. P. 26(a), if any, shall be made by March 13, 2009.

**EXHIBIT 1**

3.     **Close of Discovery:**       The parties shall close all discovery by April 10, 2009.

4.     **Dispositive Motions:** All dispositive motions shall be filed by May 8, 2009.

5.     ***Daubert* Motions:** Any *Daubert* motions relating to expert testimony to be offered at trial shall be filed by May 8, 2009, with responses due within 30 days and replies within fourteen (14) days thereafter.

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Catherine D. Perry  
United States District Judge

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.